

citrate). An amendment to correct an obvious error does not constitute new matter where one skilled in the art would not only recognize the existence of the error in the specification, but also the appropriate correction. (M.P.E.P. § 2163.07.) Here, the recognition of the typographical error, along with the correction of the error, in the amount of the ingredients listed for 5x SSC, is obvious to one skilled in the art, and, therefore, the correction does not constitute new matter.

5x SSC is a well known solution used in hybridization solutions. (*See, e.g.*, Exhibit A, CURRENT PROTOCOLS IN MOLECULAR BIOLOGY, John Wiley and Sons, N.Y., Supplement 35, page 2.10.7 (1996).) SSC is normally made as a 20x stock solution, and then diluted accordingly for a particular use. Exhibit B shows that a 20x SSC stock solution contains 3M NaCl and 0.3M trisodium citrate. (Exhibit B, CURRENT PROTOCOLS, page A.2.5.) To make a 5x SSC solution, the 20x SSC solution must be diluted by one-fourth. Therefore, a 5x SSC solution contains 750mM NaCl ($3M \div 4 = 750mM$) and 75mM trisodium citrate ($0.3M \div 4 = 75mM$).

One skilled in the art would have immediately recognized that the amount of ingredients listed in the specification for a 5x SSC solution was incorrect. Rather than describing a 5x SSC solution, made up of 750mM NaCl and 75mM trisodium citrate, the specification inaccurately listed the ingredients for a 1x SSC solution. Further, the skilled artisan, in recognizing the typographical error, could easily have adjusted the amount of ingredients described in the specification to properly make a 5x SSC solution. Therefore, the correction of this typographical error does not introduce new matter.

The amendment to page 15, line 25, of the specification, from "20 g/ml" to "20 µg/ml", is supported by page 13, lines 23-24, of U.S. Provisional Application Serial No. 60/013,285, filed March 12, 1996. U.S. Provisional Application Serial No. 60/013,285 has been incorporated by reference into the captioned application. (Specification, page 1, lines 3-7.) Thus, the amendment of page 15, line 25, does not introduce new matter.

The specification has also been amended to correct errors of a typographical nature. Support for the amendment to page 13, line 27, can be found in the specification, at page 19, line 28, to page 20, line 4; at page 23, line 10, to page 24, line 16; and pages 62, line 1, to page 65, line 12 (Example 4). Support for the amendment to page 14, lines 13-18, can be found in the specification, at page 7, lines 2-6, and page 33, lines 14-24. Support for the amendment to page 63, line 1, can be found in the specification, at page 10, lines 3-5. No new matter has been added by these amendments.

Conclusion

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Stephen G. Whiteside
Attorney for Applicants
Registration No. 42,224

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1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005
(202) 371-2600